



Attorney General

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Robert R. Corbin

February 28, 1986

Mr. Ray McAuley
Deputy Director
Arizona Veteran's Memorial Coliseum
1826 West McDowell Road
Phoenix, Arizona 85005

Re: I86-025 (R85-104)

Dear Mr. McAuley:

You have asked whether your agency's practice of providing overnight accommodations for state employees during the state fair is permissible. Your letter sets forth the following description of how the overnight accommodation policy is implemented:

1. The Executive Director determines that certain employees are on 24-hour call and in the interest of quick response time, are provided with overnight accommodations in a close proximity to the fair grounds.

2. At the Executive Director's determination, overnight accommodations are provided for certain individuals who are expected to work exceptionally long and/or late hours.

We understand that your request for opinion is solely limited to the legal propriety of the agency providing overnight accommodations for designated state employees that are regularly assigned to a work post within Maricopa County.

The authority of the Arizona Coliseum and Exposition Center Board is set forth in A.R.S. §3-1001, et seq. Presumably, the practice of providing accommodations will be accomplished by renting facilities or assigning the employees to

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accommodations existing in facilities owned or controlled by the Arizona Coliseum and Exposition Center. The expenditure of funds to provide these accommodations is within the Board's authority to conduct state fairs for the purpose of promoting the interests of counties and the state. A.R.S. § 3-1003(A)(2).

Furthermore, it is the opinion of this office that the expenditure of funds for employee accommodations, under these unique circumstances, would not constitute a travel expenditure. Therefore, the regulations governing state employee lodging expenses as promulgated by the Department of Administration, pursuant to A.R.S. §§ 41-763 and 38-624, are not applicable.

Sincerely,



BOB CORBIN
Attorney General

BC:MH:gm